

Yeany, Philip

From: Toffel, Melissa
Sent: Thursday, June 12, 2014 9:32 AM
To: Porter, Ruth M
Cc: Yeany, Philip
Subject: Some Ernest Martin (FIN 3-906331) questions...

Hi Ruth – Hope all is well in WV. I met with my attorney, Phil Yeany, today to get the ball rolling on the Show Cause Letter we plan to send to Ernest Martin (re Bishop's Convenience Store), and we had a few questions we were hoping you could answer:

- 1) Is there a formal registration form that lists the tanks that were at the site? I got the info for what was there from conversations we've had, and things I might have picked up from your info requests to Martin, but we would like the formal WVDEP registration.
- 2) We were planning to cite Martin for failing to notify of the removal, and failure to do the site assessment, but we were wondering if there were any release detection/CP/overflow/etc violations that had been found through a WVDEP inspection that might have taken place at the facility before the tanks were removed? We just want to make sure there weren't any additional violations that you wanted added.
- 3) We have noticed Fred Tichnell's name popping up all over the place, but he doesn't seem to be linked to the site formally to where we could list him as a respondent. Is there anything on your end connecting Tichnell to the site, as maybe an operator? Or does he now own the site and has he submitted anything to you guys to that effect?

Sorry to bother, but especially since this guy has been so difficult to try to deal with we want to make sure we have all our ducks in a row before our letter goes out. Thanks Ruth!

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